



BOULT • CUMMINGS
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July 6, 2001

RECEIVED
REGULATORY AUTH.
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OFFICE OF THE
EXECUTIVE SECRETARY

Mr. David Waddell
Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

Re: Petition of MCI WorldCom, Inc. to Enforce Interconnection
Agreement with BellSouth Telecommunications, Inc.
Docket No. 99-00662

Dear David:


Please bring the attached request to the attention of the Directors. MCImetro is asking that the agency's most recent reciprocal compensation decision – which orders BellSouth to pay “immediately” – be enforced by setting a specific deadline for compliance. In the request, MCImetro suggests a date of July 13, 2001, one week from today. The Authority, of course, may select a different date or simply leave the parties to judge what is meant by “immediate.”

In any event, whatever action the Authority takes should be done quickly, if it is done at all. Therefore, MCImetro asks that this request be placed before the Authority at the July 10, 2001 conference.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By:


Henry Walker

HW/nl
Enclosures

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE: PETITION OF MCI)	
WORLDCOM, INC. TO ENFORCE)	
INTERCONNECTION AGREEMENT)	DOCKET NO. 99-00662
WITH BELL SOUTH)	
TELECOMMUNICATIONS, INC.)	

**WITHDRAWAL OF PETITION FOR REVIEW
AND REQUEST FOR ENFORCEMENT OF FINAL ORDER**

MCImetro Access Transmission Services, Inc. ("MCImetro") hereby withdraws the Petition for Review filed by MCImetro on July 2, 2001 in the above-captioned matter and requests that the Tennessee Regulatory Authority enforce the Authority's decision by directing BellSouth Telecommunications, Inc. ("BellSouth") to comply with the agency's order by a date certain. MCImetro suggests a deadline of July 13, 2001.

Background

On June 14, 2001, Hearing Officer Jonathan N. Wike issued an Initial Order in the above-captioned proceeding. The Initial Order (at 30) directed BellSouth to "immediately" pay to MCImetro any reciprocal compensation payments due for ISP-bound traffic which it [BellSouth] has withheld." The Order also directed that the amount of reciprocal compensation be calculated based on "the switching actually performed" (*id.*) and that if MCImetro has switched traffic for BellSouth "using only direct end office switches, then the direct end office rate [\$.004 per minute]" should be used to calculate BellSouth's payment. *Id.*, at 29. Finally, the Order stated that "in the event this Order is not appealed to the Directors . . . within fifteen (15) days, this Order shall become the Final Order and shall be effective from the date of entry." *Id.*, at 31.

On July 2, 2001, MCImetro filed a Petition for Appeal of the Initial Order. The only issue raised in the Petition concerned the appropriate reciprocal compensation rate. No appeal was filed by BellSouth.

Discussion

In order to bring this matter to a close and expedite enforcement of the Initial Order, MCImetro has decided to withdraw its Petition for Appeal. The Initial Order therefore now becomes the "Final Order" of the agency as provided in T.C.A. § 4-5-314(b) and as stated in the Initial Order.

MCImetro further requests that the Authority direct BellSouth to comply with the Final Order by a date certain. Although BellSouth has been ordered to make payment "immediately," MCImetro requests that a specific deadline should be established so that there will be no debate or misunderstanding by the parties – or the agency – regarding BellSouth's compliance with the Order.¹

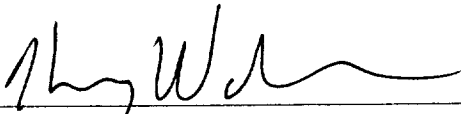
Conclusion

Therefore, MCImetro withdraws its Petition for Review and requests that the Authority direct BellSouth to comply with the Final Order "immediately" by making payment on or before July 13, 2001.

¹ Based on the Hearing Officer's decision, MCImetro has calculated that the company is owed a total of \$10,276,408.71 by BellSouth, as of May 31, 2001, in reciprocal compensation payments. This calculation is based on local usage billings adjusted to reflect the \$.004 end office rate plus a finance charge of 1% per month, simple interest, on all unpaid balances. If requested, MCImetro will provide BellSouth and the Authority copies of supporting schedules regarding this calculation.

Respectfully submitted,

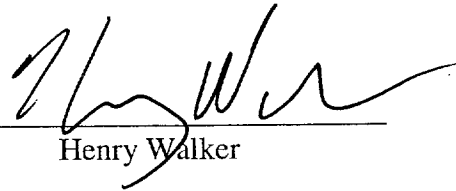
BOULT, CUMMINGS, CONNERS & BERRY, PLC

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded via U.S. Mail, postage prepaid, to the following on this the 2nd day of July, 2001.

Guy Hicks, Esq.
BellSouth Telecommunications, Inc.
333 Commerce St., Suite 2101
Nashville, TN 37201-3300



Henry Walker